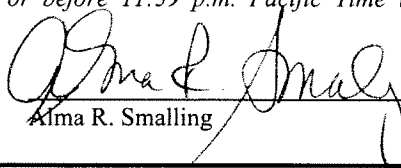

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on August 28, 2009 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


Alma R. Smalling

Application Number : 10/590,761 Confirmation No. 7304
Filing Date : August 24, 2006
Inventor(s) : Harukazu Kitagawa, et al.
Title : IMMUNOSTIMULATORY OLIGONUCLEOTIDE THAT
INDUCES INTERFERON ALPHA

Group Art Unit : 1633
Examiner Name : Epps Smith, Janet L.
Docket No. : 58270/A400 Date: August 28, 2009

MAIL TO: Mail Stop RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

- a. ☒ Pending (no review proceedings active)
- (1) ☒ An Action was mailed by the Office on April 15, 2009, as to which no appeal under 37 CFR § 1.191 has been filed and
_____ a response under 37 CFR § 1.116 was mailed on
_____ via Express Mail
_____ with certificate of mailing under 37 CFR § 1.8
☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
_____ an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated
- (2) _____ Allowed: the Notice of Allowance was mailed by the Office on
_____ the Issue Fee has not been paid
_____ the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on
- b. _____ Pending (with review proceeding active)

**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Application No. 10/590,761

An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

2. SUBMISSION(S) REQUIRED (check at least one)

a. Previously submitted

- ☐ Consider the amendments/reply under 37 CFR § 1.116 previously filed on
☐ Consider the arguments in the Appeal or Reply Brief previously filed on
☐ Other:

b. Enclosed

- ☐ Amendment/Reply
☒ Affidavit(s)/Declaration(s)
☐ Information Disclosure Statement
☐ Documents under 37 CFR § 1.48
☒ Petition for Extension of Time
☒ Other: Response and Declaration under 37CFR 1.132, with Exhibit "A"

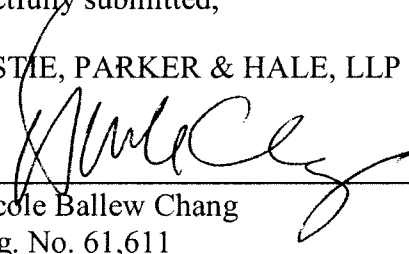
The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please direct all correspondence to **CUSTOMER NUMBER 23363**. Direct telephone calls to 626/795-9900, **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068**.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Nicole Ballew Chang
Reg. No. 61,611
626/795-9900

NBC/ars

**REQUEST FOR CONTINUED EXAMINATION (RCE)
FEE CALCULATION SHEET**

Application No. 10/590,761

PART I — BASIC FEE			
BASIC FEE	Small Entity \$405.00	Large Entity \$810.00	\$810.00

PART II — ADDITIONAL CLAIMS (compared to application before RCE)						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	4	*20	0	x \$26.00	x \$52.00	0
Independent Claims	3	**3	0	x \$110.00	x \$220.00	0
First Presentation of Multiple Dependent Claim				\$195.00	\$390.00	
TOTAL CLAIMS FEE						\$0
List Independent Claims: 1, 4, 6						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID FOR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

1. FEES (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)
- a. Amount (total from Fee Calculation Sheet)
- Please deduct \$810.00 from Deposit Account No. 03-1728.
- b. X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account.

ARS PAS864894.1-*08/28/09 1:15 PM